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**Amendments to the claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of claims:**

Claim 1 (currently amended): An image forming apparatus comprising:

a sheet eject mechanism movable between an initial position and a sorting position in a direction orthogonal to a sheet transport direction in sorting processing, and to eject sheets being sorted by copy or by image-forming job in the sorting processing to a receiving tray, the sheet eject mechanism moving from the initial position to the sorting position with a sheet held therein, the sheet eject mechanism, after ejecting the sheet to the receiving tray, moving from the sorting position to the initial position without a sheet held therein; and

a control device for determining a delay time required for the sheet eject mechanism ~~moving from the initial position to the sorting position with a sheet held therein~~ to start to return to the initial position after ejecting the sheet to the receiving tray, based on a difference in length between a transport interval that varies according to sizes of sheets being processed and time that it takes the sheet eject mechanism to move back from the sorting position to the initial position, the sheets being transported sequentially to the sheet eject mechanism at the transport interval.

Claim 2 (original): The image forming apparatus according to claim 1, wherein the control device compares the transport interval with a preset reference transport interval, thereby setting a longer delay time than a reference delay time corresponding to the reference transport interval if the transport interval is longer than the reference transport interval, and a shorter delay time than the reference delay time if the transport interval is shorter than the reference transport interval.

Claim 3 (original): The image forming apparatus according to claim 1, wherein the control device determines whether or not a sheet is of a particular size with its transport interval shorter than the reference transport interval, and if the sheet is of the particular size, sets a shorter delay time than the reference delay time corresponding to the reference transport interval.

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Claim 4 (original): The image forming apparatus according to claim 1, wherein the sheet eject mechanism moves with each copy or image-forming job to sort alternately between the initial position and sorting positions arranged on both sides of the initial position in the direction orthogonal to the sheet transport direction.

Claim 5 (previously presented): The image forming apparatus according to claim 1, wherein the control device is provided for selectively setting either of a first image-forming speed and a second image-forming speed as an image-forming speed in the sorting processing, the first image-forming speed being used when sorting processing is not performed, and the second image-forming speed being less than the first image-forming speed.

Claim 6 (original): The image forming apparatus according to claim 5, wherein the control device, comparing in sheet sorting processing the transport interval at the first image-forming speed with a preset reference transport interval, sets the first image-forming speed as the image-forming speed in the sorting processing when the sheet transport interval is longer than the preset reference transport interval; and sets the second image-forming speed as the image-forming speed when the sheet transport interval is shorter than the reference transport interval.

Claim 7 (original): The image forming apparatus according to claim 5, wherein the control device determines whether a sheet is of a particular size, the sheet transport interval being shorter than the reference transport interval in the particular size, and sets the second image-forming speed when the sheet is of the particular size.

Claim 8 (original): The image forming apparatus according to claim 5, wherein the control device changes timings at which a sheet is transported to an image forming section.

Claim 9 (original): The image forming apparatus according to claim 5, wherein the sheet eject mechanism moves with each copy of sheets or each image-forming job to sort alternately between the initial position and sorting positions arranged on both sides of the initial position in the direction orthogonal to the sheet transport direction.

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Claim 10 (currently amended): An image forming apparatus comprising:

a sheet eject mechanism movable between an initial position and a sorting position in a direction orthogonal to a sheet transport direction in sorting processing, and to eject sheets being sorted by copy or by image-forming job in the sorting processing to a receiving tray, the sheet eject mechanism moving from the initial position to the sorting position with a sheet held therein, the sheet eject mechanism, after ejecting the sheet to the receiving tray, moving from the sorting position to the initial position without a sheet held therein; and

a control device for regulating a delay time required for the sheet eject mechanism ~~moving from the initial position to the sorting position with a sheet held therein~~ to start to return to the initial position after ejecting the sheet to the receiving tray, wherein the control device regulates the delay time based on detected sizes of sheets being processed, the sheets being transported sequentially to the sheet eject mechanism.